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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/618,498	07/11/2003	Rich Huang	252011-1520	5392
47390	7590	11/16/2004	EXAMINER	
THOMAS, KAYDEN, HOSTEMEYER & RISLEY LLP			ADAMS, GREGORY W	
100 GALLERIA PARKWAY			ART UNIT	
SUITE 1750			PAPER NUMBER	
ATLANTA, GA 30339			3652	

DATE MAILED: 11/16/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/618,498

Applicant(s)

HUANG ET AL.

Examiner

Gregory W. Adams

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) 7-9, 11, 12, 16-18, 20-21 is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-6, 10, 13-15, 19 and 22 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____ | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION

Election/Restrictions

1. This application contains now cancelled claims directed to the following patentably distinct species of the claimed invention:

Species 1: "Roller" referenced in claims 7, 16 as shown in FIG. 5A

Species 2: "Gear Wheel" referenced in claims 8,17 not shown

Species 3: "Timing Belt" referenced in claims 10,19 as shown in FIG. 5B

Species 4: "Chain" referenced in claims 9,18 not shown

Species 5: "Curtain Slat" referenced in claims 11,20 as shown in FIG. 5C

Species 6: "Wire" referenced in claims 12,21 not shown

Applicant is required under 35 U.S.C. 121 to elect a single disclosed species for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable. Currently, claims 1 and 4, and 13 are generic.

2. During a telephone conversation with attorney of record Dan McClure, (770) 933-9500, on November 10, 2004 a provisional election was made without traverse to prosecute the invention of embodiment 5B, the "timing belt", claims 1,4,10 and 13,19. Affirmation of this election must be made by applicant in replying to this Office action. Claims 7-9, 11-12, 16-18 and 20-21 are withdrawn from further consideration by the examiner, 37 CFR 1.142(b), as being drawn to a non-elected invention.

Information Disclosure Statement

1. The listing of references in the specification is not a proper information disclosure statement. 37 CFR 1.98(b) requires a list of all patents, publications, or other

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information submitted for consideration by the Office, and MPEP § 609 A(1) states, "the list may not be incorporated into the specification but must be submitted in a separate paper." Referring to page 2, line 18, applicant discloses US 6,092,678 to Kawano et al. Therefore, unless the references have been cited by the examiner on form PTO-892, they have not been considered.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-6,10,13-15,19,22 are rejected under 35 U.S.C. 102(b) as being anticipated by Bonora et al. (US 6,481,558).

With respect to claim 1, referring to FIGS. 5-10 Bonora et al. disclose a load port transfer device 10 for delivering a wafer carrier 12 along an overhead conveying system 14 including a load port 120, path 72, vertical component 72, horizontal component 64, robot 60, which moves on the path between the load port 120 and the conveyor 14. See also col. 4, ln. 38-40. It is noted that bottom portion of vertical component 72 extends from the load port 120 at the point the wafer carrier 12 is moved from or returned to the conveyor 14.

With respect to claim 2, referring to FIG. 9 Bonora et al. disclose an L-shaped path as completed by horizontal component 64 and vertical component 72.

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With respect to claim 3, referring to FIG. 4 Bonora et al. disclose that horizontal component 64 is above the conveyor 14.

With respect to claim 4, referring to FIG. 5-10 Bonora et al. disclose a robot 60 with a moving mechanism 78 in path 72 and a holding mechanism 64 to hold wafer carrier in horizontal position. See also col. 7, ln. 54-55.

With respect to claim 5, referring to FIG. 5-10 Bonora et al. disclose a holding mechanism 64 with a first end 65 which connects to wafer carrier 12, and a second end which connects to the moving mechanism. Col. 7, ln. 54-55.

With respect to claim 6, referring to FIG. 10 Bonora et al. disclose a first end 65 having a gripper to grasp the wafer carrier. Col. 9, ln. 4-5.

With respect to claim 10, referring to FIG. 9 Bonora et al. disclose a moving mechanism 78 having a timing belt 86,94.

4. With respect to claim 13, referring to FIGS. 5-10 Bonora et al. disclose a load port transfer device 10 for delivering a wafer carrier 12 to a conveyor 14 including a load port 120, path 72, vertical component 72, horizontal component 64, robot 60, moving mechanism 78, holding mechanism 64, first end 65 to hold wafer carrier 12, and second end on the moving mechanism 78. See also col. 7, lns. 54-55. In addition, the vertical component 72 is beside conveyor 14 and the bottom portion extends from the load port 120.

With respect to claim 14, referring to FIG. 10 Bonora et al. disclose an L-shaped path 72.

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With respect to claim 15, referring to FIGS. 5-10 Bonora et al. disclose a first end 65 shaped like a gripper. Col. 7, Ins. 54-55.

With respect to claim 19, referring to FIGS. 5-10 Bonora et al. disclose a moving mechanism 78 having a timing belt 86,94.

5. With respect to claim 22, referring to FIGS. 5-10 Bonora et al. disclose an intra-bay delivery system 10 having a wafer carrier 12, load port 120, conveyor 14, rail 72, vertical component 72, horizontal component 64, roller 82, robot 60, holding mechanism 64, flanged 65, and a second end on the moving mechanism 78.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

US 5,382,127 to Garric et al.	US 4,778,331 Kimata et al.
US 6,612,797 to Bonora et al.	US 6,283,692 to Perlov et al.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gregory W. Adams whose telephone number is (703) 305-0555. The examiner can normally be reached on M-F, 8:30am-5pm.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gregory W. Adams whose telephone number is (703) 305-0555. The examiner can normally be reached on M-F, 8:30am-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Eileen D. Lillis can be reached on (703) 308-3248. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

GWA



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